

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------|---|------------------|
| DONALD CIKRA, <i>et al.</i> , | : | |
| | : | |
| Plaintiffs, | : | 2:15-cv-06166-WB |
| v. | : | |
| | : | |
| LAMI PRODUCTS, LLC, | : | |
| Defendant. | : | |

**PLAINTIFFS' SUPPLEMENT COMPARING THE
PAY PERIODS WORKED BY NON-CLAIMANT CLASS
MEMBERS WITH THE PAY PERIODS WORKED BY
CLAIMANT CLASS MEMBERS DURING THE CLASS PERIOD**

During the November 8, 2016 final approval hearing, the undersigned class counsel speculated that the population of class members who did not file claim forms (“the Non-Claimants”) probably included many “short-term” employees who did not have a strong incentive to return a claim form. Such speculation was based on class counsel’s experiences in similar class action lawsuits for unpaid wages.

After some further discussion, the Court instructed class counsel to analyze the available data to determine whether, in fact, the Non-Claimant population disproportionately consists of short-term employees. Class counsel has completed this analysis and can report the following to the Court:

The available data enables class counsel to determine the number of two-week pay periods for which each Non-Claimant and Claimant received a paycheck.

The results of class counsel's analysis are captured in the following table:

| Number of Pay Periods Worked | Number of Claimants | % of Total Claimants | Number of Non-Claimants | % of Total Non-Claimants |
|-------------------------------------|----------------------------|-----------------------------|--------------------------------|---------------------------------|
| 1-10 | 716 | 43.05% | 897 | 71.25% |
| 11-20 | 318 | 19.12% | 185 | 14.69% |
| 21-30 | 192 | 11.55% | 77 | 6.12% |
| 31-40 | 99 | 5.95% | 43 | 3.41% |
| 41-50 | 85 | 5.11% | 15 | 1.19% |
| 51-60 | 70 | 4.21% | 15 | 1.19 |
| 61-70 | 42 | 2.53% | 9 | 0.71% |
| 71-80 | 32 | 1.92% | 6 | 0.48% |
| 81-90 | 49 | 2.95% | 4 | 0.32% |
| 91-100 | 60 | 3.61% | 8 | 0.64% |

The above confirms that the Non-Claimant population is disproportionately skewed towards short-term employees. For example, 71.25% of the Non-Claimants worked 10 or fewer pay periods, while only 43.05% of the Claimant population worked 10 or fewer pay periods.

Date: November 9, 2016

Respectfully,

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